

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Daniel White Sexton et al. § Group Art Unit: 2616
Application No.: 10/672,043 § Examiner: Sinkantarakorn, Paware
Filed: September 26, 2003 § Confirmation No.: 1099
For: HIGH PERFORMANCE NETWORK § Atty. Docket: 125836-1/YOD/DOO
COMMUNICATION DEVICE AND § G俞D:0200
METHOD §

CERTIFICATE OF TRANSMISSION OR MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office in accordance with 37 C.F.R. § 1.6(d), or is being transmitted via the Office electronic filing system in accordance with 37 C.F.R. § 1.6(a)(4), or is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

October 27, 2008

/Patrick S. Yoder/
Patrick S. Yoder

NOTICE OF APPEAL UNDER 37 C.F.R. § 41.31 FROM THE DECISION OF THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appellants hereby appeal to the Board of Appeals and Interferences from the final decision mailed July 25, 2008 and Advisory Action mailed October 10, 2008 of the Examiner finally rejecting claims 1-20 of the above-referenced application.

The Commissioner is authorized to charge the requisite filing fee of \$540.00 (Notice of Appeal), and any additional fees which may be required, to Deposit Account No. 07-0868; Order No. 125836-1/YOD (GERD:0200).

General Authorization for Extensions of Time

In accordance with 37 C.F.R. § 1.136, the undersigned hereby provides a general authorization to treat this and any future reply requiring an extension of time as incorporating a request therefor. Furthermore, the Commissioner is authorized to charge the appropriate fee for any extension of time to Deposit Account No. 07-0868; Order No. 07-0868; Order No. 125836-1/YOD (GERD:0200).

Respectfully submitted,

Date: October 27, 2008

/Patrick S. Yoder/

Patrick S. Yoder
Reg. No. 37,479
FLETCHER YODER
P.O. Box 692289
Houston, TX 77269-2289
(281) 970-4545